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10083905 - 081202

PATENT
ATTORNEY DOCKET
NO. 72928

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: **Jam s Fitzgibbon**)
Appln. No.: **10/083,905**)
Filed: **February 27, 2002**)
Title: **MOVABLE BARRIER**)
OPERATOR HAVING FORCE)
AND POSITION LEARNING)
CAPABILITY)
Group Art)
Unit: **2837**)
Examiner: **Not Yet Assigned**)

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on this date.

8/7/02
Date

Kenneth Samples
Kenneth H. Samples
Registration No. 25,747
Attorney for Applicant(s)

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS
AND SUBSTITUTE FORMAL DRAWINGS

Honorable Commissioner of Patents
and Trademarks
ATTENTION: Assistant Commissioner For Patents
Washington, D.C. 20231

Dear Sir:

In response to the Notice to File Corrected Application Papers, mailed June 10, 2002, enclosed are substitute drawings in compliance with 37 CFR §1.84. Please note that FIG. 3 was divided into FIGS. 3A-3C. Entry of the enclosed substitute formal drawings in the above-captioned patent application is respectfully requested. Requirements set forth in the Notice to File Corrected Application Papers is believed to have been fully met. Please contact the undersigned if anything further is required.

Respectfully requested,

FITCH, EVEN, TABIN & FLANNERY

Date: 8/7/02

By: Kenneth Samples
Kenneth H. Samples
Registration No.: 25,747

120 South LaSalle Street
Suite 1600
Chicago, Illinois 60603-3406
Telephone: (312) 577-7000
Facsimile: (312) 577-7007

PATENT

Attorney Docket No. 72928

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Fitzgibbon, et al.

Appln No.:

Filed: Herewith

For: Movable Barrier Operator
Having Force and Position
Learning Capability

Group Art

Unit:

Examiner:

) CERTIFICATE OF MAILING BY "EXPRESS MAIL"

) "Express Mail" Mailing Label Number

) EL 600581063 US

) Date of Deposit 2/27/02

) I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

) EDWARD PRICE
(Typed or printed name of person mailing)

) Edward Price
(Signature of person mailing)

**TRANSMITTAL COVER LETTER
FOR COMPUTER PROGRAM LISTING APPENDIX**

Box PATENT APPLICATION
Commissioner of Patents and Trademarks
ATTENTION: Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

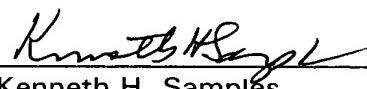
Pursuant to 37 C.F.R. §§1.52(e), 1.77(b), and 1.96, Applicants hereby submit two (2) identical compact discs (CD-ROMs) each containing a computer program listing appendix for the above-captioned application which is filed herewith. These discs are in IBM-PC machine format and are MS-Windows operating system compatible. The file on each disc is named "codelisting.txt", is 151 KB in size, and was created on January 30, 2001.

Fitzgibbon, et al.
Filed Herewith

TRANSMITTAL COVER LETTER
Attorney Docket 72928

The Commissioner is hereby authorized to charge any additional fees which may be required in respect to this submission, or credit any overpayment, to Deposit Account No. 06-1135.

Respectfully submitted,
FITCH, EVEN, TABIN & FLANNERY


Kenneth H. Samples
Registration No. 25,747

Date: February 27, 2002

Suite 1600
120 South LaSalle Street
Chicago, Illinois 60603-3406
Telephone: (312) 577-7000
Facsimile: (312) 577-7007



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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/083,905	02/27/2002	James J. Fitzgibbon	72928

CONFIRMATION NO. 7911

22242

FITCH EVEN TABIN AND FLANNERY
120 SOUTH LA SALLE STREET
SUITE 1600
CHICAGO, IL 60603-3406

FORMALITIES LETTER



OC00000008260127

Date Mailed: 06/10/2002

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

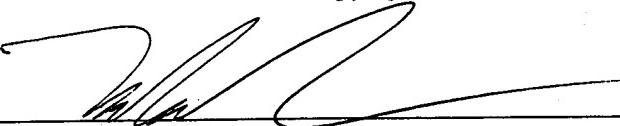
- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
 - Drawings must be reasonably free from erasures and must be free from alterations, overwritings, interlineations, folds, and copy marks.
 - Numbers, letters, and reference characters must measure at least 0.32 cm (1/8 inch) in height.
 - drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e));
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file

in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE